



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 84

An Act respecting national integration

Introduction

**Introduced by
Mr. Jean-François Roberge
Minister of the French Language**

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EXPLANATORY NOTES

The purpose of this bill is to establish the Québec national integration model, which fosters the vitality and preservation of Québec culture as the common culture and vector for social cohesion, a culture of which the French language is the main vehicle and which enables immigrants and persons identifying with cultural minorities to integrate into Québec society.

To that end, the bill details the foundations of the integration model, which is based on the principle of reciprocity according to which integration into the Québec nation is a common objective and a commitment shared between the Québec State and all persons living in Québec.

The bill also determines what is expected of the Québec State and of Québécois, in particular those who are immigrants. Accordingly, it sets out that the State takes measures aimed at ensuring the preservation, vitality and sharing of the French language and Québec culture and that it is expected of all Québécois that they collaborate in welcoming immigrants and foster immigrants' integration into the Québec nation.

The bill provides that the Minister of the French Language develops a national policy on integration into the Québec nation and the common culture, a policy that may address in particular the welcoming of immigrants into Québec society as well as research and dissemination of knowledge on the Québec national integration model.

The bill entrusts the Minister with the responsibility for proposing to the Government general policy directions on national integration and the development of the common culture. It entrusts the Minister with, in particular, the functions of promoting the Québec national integration model and strengthening all Québécois' sense of belonging to the Québec nation.

In addition, the bill provides that the Government may determine, from among the forms of financial assistance that may be granted by the agencies to which the national policy applies, the forms of financial assistance whose purpose must be consistent with the Québec national integration model or one of its foundations.

The bill amends the Charter of human rights and freedoms, in particular to set out that human rights and freedoms are exercised in conformity with the Québec national integration model.

Lastly, the bill contains miscellaneous and final provisions.

LEGISLATION AMENDED BY THIS BILL:

- Charter of human rights and freedoms (chapter C-12);
- Act respecting the exercise of the fundamental rights and prerogatives of the Québec people and the Québec State (chapter E-20.2).

Bill 84

AN ACT RESPECTING NATIONAL INTEGRATION

AS Quebecers form a nation the culture of which is characterized in particular by the French language as the common language, the civil law tradition, specific institutions, equality between women and men, State laicity, distinct social values and a specific history, which have led the Québec nation to develop a unique model of living together and of full participation by all, in French, in Québec society;

AS Québec is a national State, the only French-speaking State in North America, a democratic State, sovereign in its areas of jurisdiction and endowed with the means to guarantee its territorial integrity, which possesses the right to self-determination, establishes its own contribution to the universal movement for the protection of human rights and has the prerogatives to establish its own international policy, and as it forms a distinct society through its French language, culture and institutions;

AS French is the common language and the only official language of Québec, the instrument by which the Québec nation articulates its identity, the distinctive mode of expression of Québec culture and the language of integration for immigrants;

AS the National Assembly recognizes the right of the First Nations and the Inuit in Québec, descendants of the first inhabitants of this land, to preserve and develop their original language and culture;

AS the law applies in a manner that is respectful of the institutions of the English-speaking community of Québec;

AS immigrants from all over the world contribute to the Québec nation;

AS Québec culture is where all Quebecers can be brought together and where they can express diversity while embracing a common cultural horizon;

AS integration of immigrants must be carried out in a manner that respects the distinct identity of Québec society, as recognized in the Canada-Québec Accord relating to Immigration and Temporary Admission of Aliens;

AS the French language is the main vehicle of Québec culture, to which all are called upon to adhere and contribute, so that they may enrich Québec culture without denying their culture of origin;

AS successful integration of immigrants is based on a shared responsibility of immigrants and the host society;

AS the Politique québécoise du développement culturel laid the groundwork for an integration model based on cultural integration;

AS cultural integration and promotion of Québec values are matters of concern to the State, the population, social stakeholders and the nation's institutions;

AS the National Assembly has never adhered to the Constitution Act, 1982, which was enacted despite its opposition, and as the Québec State must continue building the constitutional foundations on which the Québec nation stands;

AS it is important to formalize the model for integration into the Québec nation;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE

1. The purpose of this Act is to establish the Québec national integration model, which fosters the vitality and preservation of Québec culture as the common culture and vector for social cohesion. Québec culture, of which the French language is the main vehicle, enables immigrants and persons identifying with cultural minorities to integrate into Québec society.

CHAPTER II

MODEL AND FOUNDATIONS

2. The Québec State affirms and establishes the Québec national integration model. The model is based on the principle of reciprocity according to which integration into the Québec nation is a common objective and a commitment shared between the Québec State and all persons living in Québec, including immigrants and persons identifying with cultural minorities.

3. The common culture, to which all are called upon to adhere and to contribute, is characterized in particular by the French language, the civil law tradition, specific institutions, distinct social values, a specific history, and the importance given to equality between women and men, to the laicity of the State and to the protection of Québec's only official and common language.

4. In order to foster adherence and contribution by all to the common culture, the national integration model requires the welcoming and the full participation, in French, of immigrant persons and persons identifying with cultural minorities, and relies on interaction and closer ties between those persons and persons identifying with the French-speaking majority.

As a distinct host society, the Québec nation has its own integration model, which counters isolation and withdrawal into specific ethnocultural groups. The model is distinct from Canadian multiculturalism.

5. The national integration model is based on the following foundations:

- (1) Québec culture is the common culture and, as such,
 - (a) it is the crucible that enables all Quebecers to form a united nation;
 - (b) the Québec State is responsible for protecting it and taking measures for all Quebecers to participate in its vitality;
 - (c) immigrants and persons identifying with cultural minorities are called upon to contribute to it, in particular on the basis of their cultural characteristics; and
 - (d) it takes concrete form particularly in cultural objects, for example in the fields of the arts and literature;
- (2) French is the official and common language of Québec and, as such,
 - (a) it is the main vehicle of Québec culture;
 - (b) it is the host language and language of integration that enables immigrants to interact and thrive within Québec society and to participate in the latter's development;
 - (c) it is the language of intercultural communication, which enables closer ties between persons identifying with the French-speaking majority and persons identifying with cultural minorities, and enables all Quebecers to participate in public life in society; and
 - (d) it must be protected and its value must be asserted by the Québec State and by all Quebecers;
- (3) adherence to democratic values and Québec values expressed, in particular, by the Charter of human rights and freedoms (chapter C-12), including equality between women and men;
- (4) the laicity of the Québec State, affirmed by the Act respecting the laicity of the State (chapter L-0.3), which is based on the separation of the State and religions, the religious neutrality of the State, the equality of all citizens, as well as freedom of conscience and freedom of religion;
- (5) the opportunity given to all to participate in Québec society, the identity of which is closely linked to the territory of Québec; and

(6) recognition of the paramountcy of laws over the various cultures, whether minority or majority, since the laws are drawn up by the democratic institutions that govern the Québec nation.

CHAPTER III

DUTIES AND EXPECTATIONS

6. The Québec State

(1) takes measures to receive immigrants and to contribute to their integration and fulfillment, for example by creating and maintaining conditions that foster the learning of French as well as the learning of democratic values and Québec values expressed, in particular, by the Charter of human rights and freedoms (chapter C-12);

(2) takes measures to ensure the preservation, vitality and sharing of the French language as well as of Québec culture in all its forms;

(3) facilitates access to Québec works, cultural content and heritage property, enhances them and fosters their discoverability;

(4) promotes policies, programs and actions that enable Quebecers of all origins to better understand, respect, adhere to and contribute to the common culture; and

(5) takes measures to promote, defend and enforce the laicity of the State and equality between women and men.

7. All Quebecers are expected to

(1) adhere to democratic values and Québec values expressed, in particular, by the Charter of human rights and freedoms (chapter C-12), recognize that French, Québec's official and common language, lies at the heart of Québec culture and respect the fact that the State of Québec is a lay State;

(2) collaborate in the welcoming of immigrants and foster their integration into the Québec nation, in particular by encouraging their full participation, in French, in Québec society; and

(3) foster closer ties between persons identifying with the French-speaking majority and persons identifying with cultural minorities, in order to contribute to the vitality and preservation of Québec culture and the French language.

Quebecers who are immigrants are also expected to

(1) learn the French language, if they have not yet mastered it upon arrival, and contribute to its unifying role as Québec's official language and common language;

- (2) participate in the vitality of Québec culture by enriching it; and
- (3) participate fully, in French, in Québec society.

CHAPTER IV

NATIONAL POLICY ON INTEGRATION INTO THE QUÉBEC NATION AND INTO THE COMMON CULTURE

8. The Minister develops, in collaboration with the ministers concerned, and submits for approval to the Government a national policy on integration into the Québec nation and into the common culture that is consistent with the integration model and its foundations under this Act.

The policy applies to the agencies referred to in paragraph A of Schedule I to the Charter of the French language (chapter C-11).

9. The policy may address, in particular, the following matters:

- (1) the welcoming of immigrants within Québec society and assistance for them;
- (2) democratic values and Québec values;
- (3) access to Québec works, cultural content and heritage property, their enhancement and their discoverability;
- (4) the flag and other emblems of Québec and the respect for those emblems expected of every person in Québec;
- (5) the learning of French; and
- (6) research on and dissemination of knowledge about the Québec national integration model.

The policy is reviewed at least every 10 years.

10. The Government may determine that the policy applies to

- (1) professional orders listed in Schedule I to the Professional Code (chapter C-26) or established in accordance with that Code; and
- (2) legal persons or enterprises financed in part by one or more agencies referred to in paragraph A of Schedule I to the Charter of the French language (chapter C-11).

11. It is incumbent on the person who exercises the highest administrative authority within an agency to take the necessary means for the agency to take the policy into account.

12. The Minister may require any agency to which the policy applies to provide information on its implementation.

If the agency required to provide information is under the responsibility of another minister, the requirement is made jointly with the latter.

13. The Minister tables in the National Assembly a five-year report on the carrying out of this Act and the implementation of the national policy within four months after the end of the fiscal year or, if the Assembly is not sitting, within 15 days after resumption.

CHAPTER V

RESPONSIBILITIES AND POWERS OF THE MINISTER

14. The Minister proposes to the Government the general policy directions with regard to national integration and development of the common culture.

The Minister also exercises the following functions:

(1) coordinate the implementation of the national policy on integration into the Québec nation and into the common culture;

(2) support and assist the agencies to which the policy applies, and see to cohesive State action in that regard;

(3) promote the Québec national integration model;

(4) strengthen all Quebecers' sense of belonging to the Québec nation; and

(5) foster research on the Québec national integration model and on the common culture.

15. In the exercise of ministerial functions, the Minister may, in accordance with the law, enter into agreements with a government other than the Gouvernement du Québec, with a department or body of such a government, or with an international organization or a body of such an organization.

CHAPTER VI

FINANCING

16. The Government may determine, by regulation and from among the forms of financial assistance that may be granted by the agencies to which the national policy on integration into the Québec nation and into the common culture applies, the forms of financial assistance whose purpose must be consistent with the Québec national integration model and its foundations.

17. The Government may authorize an agency to which the national policy on integration into the Québec nation and into the common culture applies to grant financial assistance that, by reason of its purpose, may not be granted under section 16.

CHAPTER VII

AMENDING PROVISIONS

CHARTER OF HUMAN RIGHTS AND FREEDOMS

18. The preamble to the Charter of human rights and freedoms (chapter C-12) is amended by inserting the following paragraph after the fourth paragraph:

“WHEREAS the Parliament of Québec has formalized the Québec national integration model, which is distinct from Canadian multiculturalism;”.

19. Section 9.1 of the Charter is amended by inserting “the Québec national integration model,” after “French,”.

20. Section 43 of the Charter is amended

(1) by replacing “ethnic” by “cultural”;

(2) by adding the following sentence at the end: “They also have the right to full participation, in French, in Québec society.”

21. Section 50 of the Charter is amended by inserting “, and shall be interpreted in a manner that is consistent with the Québec national integration model provided for in the Act respecting national integration (*insert the year and chapter number of this Act*)” at the end of the second paragraph.

ACT RESPECTING THE EXERCISE OF THE FUNDAMENTAL RIGHTS AND PREROGATIVES OF THE QUÉBEC PEOPLE AND THE QUÉBEC STATE

22. The Act respecting the exercise of the fundamental rights and prerogatives of the Québec people and the Québec State (chapter E-20.2) is amended by inserting the following section after section 8:

“**8.1.** The Québec State has its own national integration model provided for by the Act respecting national integration (*insert the year and chapter number of this Act*).”

CHAPTER VIII

MISCELLANEOUS AND FINAL PROVISIONS

23. In addition to the regulation-making powers provided for by this Act, the Government may make any regulation to facilitate the implementation of this Act, including to define the terms and expressions used in it or their scope.

24. The Minister of the French Language must submit to the Government for approval the first national policy on integration into the Québec nation and into the common culture no later than *(insert the date that is 18 months after the date of assent to this Act)*.

25. The first regulation under section 16 must be made no later than *(insert the date that is 24 months after the date of assent to this Act)*.

26. The provisions of this Act prevail over any contrary provisions of any subsequent Act, unless such an Act expressly states that it applies despite this Act.

27. The Minister of the French Language is responsible for the administration of this Act.

28. The provisions of this Act come into effect on *(insert the date of assent to this Act)*.